

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Radmila Balayan v. Warden of Otay Mesa Detention Center

Balayan · No. 2:25-cv-11512-FWS-KS · Decided December 15, 2025

SUMMARY

The Central District of California ordered an immigration detainee to show cause why her § 2241 habeas petition should not be dismissed for lack of jurisdiction or transferred to the Southern District of California. The court relied on the custodial-court rule because the petitioner was detained at the Otay Mesa Detention Center in San Diego, and advised that failure to respond could result in dismissal for failure to comply with court orders and failure to prosecute.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Karen L. Stevenson
JURISDICTION	United States District Court for the Central District of California
DECIDED	December 15, 2025
DOCKET	2:25-cv-11512-FWS-KS
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241; the court issued an order to show cause why the action should not be dismissed for lack of jurisdiction or transferred to the Southern District of California.
STANDARD OF REVIEW	The court independently examined its subject-matter jurisdiction.
PRECEDENTIAL VALUE	Unpublished district-court order to show cause; limited precedential value.
PARTIES	Radmila Balayan v. Warden of Otay Mesa Detention Center

TOPICS

- immigration detention
- federal habeas corpus
- subject matter jurisdiction
- venue
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Central District of California had jurisdiction over a § 2241 habeas petition filed by an immigration detainee held at the Otay Mesa Detention Center in San Diego.
2. Whether the petition should be dismissed without prejudice for lack of jurisdiction or transferred to the Southern District of California under 28 U.S.C. § 1631.
3. Whether failure to respond to the order to show cause could warrant dismissal for failure to comply with court orders and failure to prosecute under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. A § 2241 habeas petition must be heard in the district having custody over the petitioner; because Petitioner was detained at the Otay Mesa Detention Center in San Diego, the Southern District of California was the potentially proper custodial forum.
2. The court may consider dismissal without prejudice or transfer to the Southern District of California under 28 U.S.C. § 1631 after receiving Petitioner's response to the order to show cause.

KEY QUOTATIONS

“Federal courts are always under an independent obligation to examine their own jurisdiction, and a federal court may not entertain an action over which it has no jurisdiction.” (Page 1)

“[A] habeas petition filed pursuant to § 2241 must be heard in the custodial court.” (Page 1)

FACTUAL BACKGROUND

Petitioner was detained by U.S. Immigration and Customs Enforcement at the Otay Mesa Detention Center in San Diego, California, on an immigration charge. She filed a § 2241 petition raising three claims concerning her detention, including a constitutional challenge to the duration of detention without a bond hearing. Because San Diego is within the Southern District of California, the court questioned whether the Central District of California was the proper custodial forum.

PROCEDURAL HISTORY

On December 3, 2025, Petitioner filed a § 2241 habeas petition challenging her immigration detention and detention without a bond hearing. The court determined that the petition indicated she was confined at the Otay Mesa Detention Center in San Diego, within the Southern District of California, and ordered her to show cause by January 14, 2026 why the action should not be dismissed without prejudice or transferred under 28 U.S.C. § 1631. The order also advised that failure to respond could result in a recommendation of dismissal for failure to comply with court orders and failure to prosecute.

DISPOSITION

other

CASES CITED

- Hernandez v. Campbell, 204 F.3d 861, 865 (9th Cir. 2000) (per curiam)
- Hosseini v. Warden, No. CV 19-2529 JAK (SS), 2019 WL 13252062, at *1-2 & n.1 (C.D. Cal. Apr. 17, 2019)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 2:25-cv-11512-FWS-KS Date: December 15, 2025 Title Radmila Balayan v. Warden of Otay Mesa Detention Center Present: The Honorable: Karen L. Stevenson, Chief United States Magistrate Judge Gay Roberson N/A Deputy Clerk Court Reporter / Recorder Attorneys Present for Petitioner: Attorneys Present for Respondent: Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR LACK OF JURISDICTION, OR IN THE ALTERNATIVE, TRANSFERRED TO THE SOUTHERN DISTRICT OF CALIFORNIA I. The Petition On December 3, 2025, Petitioner, represented by retained counsel, filed a Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 (“Petition”).

(Dkt. No. 1.) The Petition reflects that Petitioner is being held by U.S. Immigration and Customs Enforcement (“ICE”) on an immigration charge at the Otay Mesa Detention Center in San Diego, California. (/d. at 2.) The Petition raises three claims challenging that detention. (/d. at 2-3, 7.) More generally, Petitioner raises a constitutional challenge to the duration of the detention without a bond hearing. (/d. at 7.)

II. Legal Standard “Federal courts are always under an independent obligation to examine their own jurisdiction, and a federal court may not entertain an action over which it has no jurisdiction.” Hernandez v. Campbell, 204 F.3d 861, 865 (9th Cir. 2000) (per curiam) (internal quotation marks and citation omitted). “[A] habeas petition filed pursuant to § 2241 must be heard in the custodial court...” Id.; see also Hosseini v. Warden, No. CV 19-2529 JAK (SS), 2019 WL 13252062, at *1-2 (C.D.

Cal. Apr. 17, 2019) (transferring habeas matter brought under section 2241 — where an immigration detainee held at the Otay Mesa Detention Center in San Diego, California, claimed he was being held too long in ICE custody without a bond — because “venue is proper in the Southern District of California...”). CV-90 (03/15) Civil Minutes — General Page 1 of 2 UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES — GENERAL Case No. 2:25-cv-11512-FWS-KS Date: December 15, 2025 Title Radmila Balayan v. Warden of Otay Mesa Detention Center II.

Discussion Here, the Petition reflects that Petitioner is currently in ICE custody at the Otay Mesa Detention Center in San Diego, California. (Dkt. No. 1 at 2.) San Diego is located within the jurisdictional boundaries of the Southern District of California. See 28 U.S.C. § 84(d).

Accordingly, Petitioner is ORDERED TO SHOW CAUSE, no later than January 14, 2026, why this Court should not either recommend that the Petition be dismissed without prejudice for lack of jurisdiction or, in the alternative, why this Court should not transfer the Petition to the District Court for the Southern District of California under 28 U.S.C. § 1631. See Hosseini, 2019 WL 13252062 at *1 n.1 (“[A] magistrate judge may transfer a case for improper venue without approval of the district judge.”) (collecting cases).

Alternatively, Petitioner may file a signed document entitled “Notice of Voluntary Dismissal” if he no longer wishes to proceed with this action. Finally, Petitioner is advised that if he fails to timely respond to this Order to Show Cause, the Court will recommend that this action be dismissed for the failure to comply with Court orders and failure to prosecute.

See Fed. R. Civ. P. 41(b). IT IS SO ORDERED. Initials of Preparer or CV-90 (03/15) Civil Minutes — General Page 2 of 2